

Separate Property vs. Community Property

49 CFR 26.69(i) Title: ...marital assets form a basis for ownership... (1) Subtitle: ...When marital assets...held as community property by both spouses are used to acquire the ownership interest asserted by one spouse, you must deem the ownership interest in the firm to have been acquire by that spouse with his or her own individual resources, provided that the **other spouse irrevocably renounces and transfers all rights in the ownership interest in the manner sanctioned by the laws of the state in which either spouse or the firm is domiciled.** (2)

Subtitle: A copy of the document legally transferring and renouncing the other spouse's right in the ...community property assets used...must be included as part of the firm's application for DBE certification.

WAC 326-20-050(2) Title: Community ownership...(a) Subtitle: Only one spouse participates in the management of the business; (b) Subtitle: The nonparticipating spouse relinquishes control over his/her community interest in the subject business;

*see NP Statement –

RCW 26.16.030 – Title: Community property defined: Property acquired after marriage or registration of a state registered domestic partnership...

RCW 26.16.050 – Title: Conveyances between spouses or domestic partners. A spouse or domestic partner may give, grant, sell or convey...his or her community right, title, **interest** or estate in all or any portion of their community property...grantor...or party releasing such community property interest...shall sign, seal, execute and acknowledge the deed...

RCW 26.16.080 – Title: Execution of conveyance under power.

Any conveyance, transfer...or other encumbrances executed under and by virtue of such power of attorney shall be executed, acknowledged and certified in the same manner as if the person making such power of attorney had been unmarried or not in a state registered domestic partnership.